

Applicant : Jeffrey H. Burns
Appln. No. : 10/679,752
Page : 4

REMARKS

Claim 1 has been amended. Upon entry of the above amendments, claims 1-5, 8, 9 and 21 will be pending and under consideration in the above-identified application.

Prior Art Rejection Under 35 U.S.C. §102

Claims 1, 8, 9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Yamada et al. (United States Patent Application Publication No. 2001/0050717).

The Examiner has taken the position that Yamada et al. disclose every feature of the claims "an optically transmissive medium filling space between the integrated circuit (4) and the optically transmissive substrate." Specifically, the Examiner has taken the position that the space between filter 24 and image pick-up semiconductor 4 of the device shown in FIG. 2 of the Yamada et al. will be filled with air, and that air must be regarded as an optically transmissive medium.

The amended claims clearly distinguish over the teachings of Yamada et al. by requiring that the optically transmissive medium acts "as an environmental seal for the face of the integrated circuit facing the substrate." Air cannot act as an environmental seal.

Support for the amendment can be found at paragraph 24 of the specification (page 6, lines 2-6), which states that the optically transmissive medium that may be provided between the integrated circuit 16 and the optically transmissive substrate 12 "may also environmentally seal face 26 of integrated circuit 16 and the electrical connections formed by circuit members 14, electrically conductive leads 15, electrically conductive pads 28 and conductive bumps 30." To serve such function, the optically transmissive medium must be a solid material, not air. Accordingly, it is believed that the rejection based on Yamada et al. under 35 U.S.C. §102 must be withdrawn.

Claims 2-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada et al. in view of Melman et al. (U.S. Patent No. 6,564,018).

Dependent claims 2-5 are allowable for at least the reasons set forth above with respect to independent claim 1. More specifically, the combination of Yamada et al. in view of Melman et al. does not offer any suggestion or reason for modifying the structures disclosed therein so that they include all of the features of the claimed invention, including the

Applicant : Jeffrey H. Burns
Appln. No. : 10/679,752
Page : 5

requirement for an optically transmissive medium filling space between the integrated circuit and the optically transmissive substrate, wherein the optically transmissive medium acts as an environmental seal for the face of the integrated circuit facing the substrate.

Claim 21 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada et al. in view of Wolterink et al. (United States Patent Application Publication No. 2006/0044450).

Dependent claim 21 is allowable for at least the reasons generally set forth above with respect to independent claim 1.

CONCLUSION

It is respectfully submitted that all bases for rejection have been overcome, such that a Notice of Allowance is appropriate, and is therefore earnestly solicited.

Respectfully submitted,

September 9, 2008

Date

GJE/dac

/Gunter J. Evanina/

Gunther J. Evanina, Registration No. 35 502
Price, Heneveld, Cooper, DeWitt & Litton, LLP
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610